

**CHADDS FORD TOWNSHIP
PLANNING COMMISSION**

August 10, 2005

M I N U T E S

The Planning Commission of Chadds Ford Township met at Township Hall on Wednesday, August 10, 2005. Present were Chairman William J. Taylor, Vice-Chairman Maurice Todd, members Fred Reiter and Paul Vernon. Also in attendance were Kevin Matson, EIT, for James C. Kelly, Township Engineer and Maryann D. Furlong, Acting Planning Commission Secretary.

CALL TO ORDER

The meeting was called to order at 7:33 PM.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES OF July 13, 2005

Mr. Matson noted that Mr. Nagorny's name was misspelled in several places. Mrs. Furlong will make the necessary corrections.

Upon motion and second (Todd, Taylor) the minutes of the July 13, 2005 Planning Commission meeting were unanimously approved.

APPROVAL OF MINUTES OF SPECIAL MEETING OF July 27, 2005

Upon motion and second (Todd, Vernon) the minutes of the July 27, 2005 Planning Commission meeting were unanimously approved.

MARSHALL ESTATES

Luren D. Dickinson, developer of Marshall Estates, a proposed five-lot subdivision on Marshall Road, distributed a written summary of responses to comments made by Kelly Engineers in a review letter dated August 9, 2005. Mr. Dickinson was seeking final approval for the plan.

The following comments were discussed:

Comment 24. This comment pertains to the Township's ordinance regulating flow in the Chester Creek watershed. Post development peak discharge must be no greater than 50% of the pre-developed peak discharges. Mr. Matson stated that after discussion with the applicant's engineer this issue has been resolved and the waiver request has been removed from the plan.

Comment 28. Fencing and/or suitable vegetation screening must be

provided around all detention/retention basins unless the Board of Supervisors determines that such screening is not necessary.

Mr. Matson reviewed the three waiver requests:

1. A waiver from ordinance 104-406.Q.11 requiring that the minimum basin freeboard shall be two feet. *Mr. Matson would favor granting this waiver to minimize impact to the environment.*

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2. A waiver from ordinance 104-406.Q.15 requiring that the minimum width of a detention basin berm shall be 10 feet. *Mr. Matson agreed that 5 feet is acceptable.*
3. A waiver from ordinance 104-406.R.5 requiring that fencing or suitable vegetation screening be provided around all detention/retention basins. After discussion, *Mr. Dickinson agreed to install a split rail fence around the single retention pond.*

An additional waiver request had been resolved and was removed from the plan.

Mr. Dickinson reported on the current status of negotiations with Springhill Farm Waste Water Treatment plant to allow the new homes to tie in. Mr. Dickinson had numerous conversations with Springhill's legal representative Adam Marcus regarding the complexity of gaining approval from the WWTP Board and all six adjoining homeowners. Mr. Dickinson asked to proceed with the subdivision application providing on site sewage, with an agreement to pursue public sewage in the future. Additionally, he would be amenable to containing such a clause in the Developer's Agreement.

Mr. Todd commented that the plan was basically in compliance with Township ordinances and could proceed with on site sewage. Mr. Todd asked that an acknowledgment of intent to proceed with public sewage be made either on the plan or in the Developer's Agreement. Mr. Vernon concurred. Mr. Reiter

was satisfied as long as easements are in place.

Mr. Todd thought it might be necessary to obtain the Township Solicitor's opinion as to whether or not the plan has been affected by the Route One Overlay Ordinance. Mr. Matson stated that the exclusion of easement area initially brought gross area calculations under five acres, but the easement area had been redrafted, thus coming into compliance. The easement for the sanitary sewer was not netted out of the original calculations, thus once again bringing the area under five acres. Mr. Todd didn't think it proper to penalize the applicant for doing something the Township had asked for. Mr. Matson stated that if the public sewer easement were withdrawn from the plan it would be in compliance. Mr. Vernon would like to have the opinion of the Township Solicitor regarding Ordinance 110.

Mr. Dickinson asked for Planning Commission's recommendation of approval of the subdivision plan with on site systems and containing no easements for public sewers. Mr. Todd objected to the fact that the latest plans were not accurate in that they contain the sanitary sewer easement. Mr. Dickinson agreed to provide revised plans removing the sewer easement ten days prior to the Board of Supervisors meeting.

MOTION TO RECOMMEND FINAL APPROVAL – MARSHALL ESTATES

Upon motion and second (Todd, Vernon), Planning Commission members recommended final approval of the Marshall Estates subdivision application conditioned upon the removal of the sanitary sewer easement from the plan and resolution of all other outstanding comments in Kelly Engineers review letter of August 9, 2005, including waiver requests to ordinance 104-406.Q.11 and 104-406.Q.15 and the resolution of waiver request to ordinance 104.406.R.5 with applicant agreeing to install a split rail fence around the one retention pond.

OTHER COMMISSION MATTERS

Planning Commission members adjourned the formal hearing at 8:56 PM and remained to discuss Open Space matters.

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Respectfully submitted,

MARYANN D. FURLONG
Acting Planning Commission Secretary